

AMENDED **NO. 54215**
APPLICATION FOR PERMIT TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE OF NEVADA

Date of filing in State Engineer's Office DEC 06 1989
Returned to applicant for correction DEC 29 1989
Corrected application filed FEB 26 1990
Map filed FEB 26 1990

The applicant **1979 Higbee Trust & Nolan Shumway**, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is **Murphy Gap Reservoir (surface water)**
2. The amount of water applied for is second-feet
 - (a) If stored in reservoir give number of acre-feet **9 acre feet**
3. The water to be used for **Stock watering**
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered **500 cows**
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point **SE¹/₄SW¹/₄ of Section 12 T. 1S. R.59 E. M.D.B. & M. (unsurveyed) or at a point from which the U.S.G.S. Triangulation Station Mt. Diablo 60 bears N. 68°13'00" E., at 28,500 feet.**
6. Place of Use **same as Item 5 SE¹/₄SW¹/₄ & SW¹/₄SE¹/₄ of Section 12, T.1S., R.59 E., M.D.B. & M. (unsurveyed) NW¹/₄NE¹/₄ & NE¹/₄NW¹/₄ Section 13, T1S., R.59E. M.D.B.&M.**
7. Use will begin about **January 1** and end about **December 31** of each year.
8. Description of proposed works **A dirt tank made with a crawler and carryall**
9. Estimated cost of works **\$8,200.00**
10. Estimated time required to construct works **15 days**
11. Estimated time required to complete the application of water to beneficial use **immediately after approval of permit.**
12. Remarks:

By **s/Richard E. Fonger**
P.O. Box 491
Ely, NV 89301

Compared lb/cmf lb/cmf
Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0156 cubic feet per second or sufficient to water 500 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:

September 2, 2004

Proof of completion of work shall be filed before:

October 2, 2004

Water must be placed to beneficial use on or before:

September 2, 2005

Proof of the application of water to beneficial use shall be filed on or before:

October 2, 2005

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 2nd day of September, A.D. 2003


State Engineer

Completion of work filed SEP 18 2003

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____